



“CORPORAL PUNISHMENT” A NEED FOR CONTEXTUALIZATION: HIGH SCHOOL TEACHERS’ RESPONSE IN MANIPUR

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ABSTRACT

Corporal punishment has been a form of punishment in the schools of India and still continues to thrive today in many places inspite of the declarations by the National Commission for Protection of Child Rights (NCPCR), which was set up in March 2007, the National Policy on Education, 1986 (modified 1992), and many other declaration of corporal punishment in India and the world under the Universal Declaration of Human Rights. In the case of Manipur though the various provisions against corporal punishment seems to be effective among the schools, there has been reported incidents of the continued application of punishment by teachers. The study has found out the reason of this continuation through the high school teachers' responses regarding the prohibition of corporal punishment in Manipur. The paper highlights the need for a contextual analysis to the general understanding of corporal punishment in schools as in regard to Manipur.

KEY WORDS: corporal punishment, child rights, teachers, discipline, Manipur

INTRODUCTION:

Manipur literally meaning “*A jeweled land*” is surrounded by blue hills with an oval shaped valley at the centre, rich in art and tradition and surcharged with nature's pristine glory. This land nestle deep within a lush green corner of North East India, appearing much like an exquisite work of art executed by superb, the beauty of which once inspire Mrs. St. Clair Grimwood described it as “*A pretty place more beautiful than many show places of the world*”. Once an independent kingdom, having a history of 2000 years old, merged into the Indian Union and became a State of Indian Union.

The state lies between the latitude 23°80'N and 25°68'N and between longitude 93°03'E and 24°78'E. It is neighboured on the north by Nagaland, on the south by Mizoram and on the west by Assam and on the East by Myanmar. The total area of the state is 22,327 km. Imphal city is the capital of Manipur. The people of Manipur include Meitei, Naga, Kuki, Meitei-Pangal and other communities which have lived together in complete harmony for centuries. The central valley is inhabited by the Meiteis in majority along with Meitei-Pangal, migrated people from different parts of the country and schedule tribes' population belonging to Manipur. The hills areas constitute 90% of the total state area which is inhabited by 33 hill tribes. The people living in Manipur are known as Manipuri.

The population of Manipur according to 2011 census is 27, 21,756. The female population consist of 13,51,992, and the male population is 13,69,764, the rural population is 18,99,624 and the urban population is 8,22,132 according to 2011 census.

Overview of the Education in Manipur:

The American Baptist Missionaries were the pioneer to spread modern education in English in Manipur late in 18 century. With great efforts in 1872, Major General W.E. Nuthall, the then Political Agent, opened an English school at Imphal, though the school could not function due to poor attendance. In 1885, the first Middle English school was established by James Johnstone. By 1936, there were altogether as many as 60 schools in Manipur. The first college was established in 1946 in the name of Maharani Dhanamanjuri Devi.

Education in Manipur had its expansion after India became Independence. With the constitutional provision for free and compulsory education to all the children of the age group 6-14 years, there had been rapid expansion in primary education in Manipur as in other states. By 1947, there were 278 primary schools with, 25,400 students. The number of schools in the state rose from 988 in 1955-56 to as many as 3785 in 1997-98. By 1995, Manipur had two Universities, such as University of Manipur which is now central university and central University of Agriculture.

According to the *Statistical Handbook of Manipur, 2017* published by the Directorate of Economics & Statistics, Government of Manipur there are one thousand one hundred and thirty one High/ Higher Secondary schools in Manipur. The study has been conducted upon the reaction of High School teachers towards the prohibition of any form of punishment in the schools of Manipur. Teachers of both governments, private and mission schools constituted the study population.

BACKGROUND OF THE STUDY:

Corporal or physical punishment refers to any kind of punishment which involves physical force resulting to cause some amount or degree of pain or discomfort. Corporal punishment can also be any other acts leading to insult, humiliation, physical and mental injury and further more. In the General Comment No.

8 (2006) of the United Nations- Committee on the Rights of the Child defines “corporal” or ‘Physical’ punishment as:

“...any punishment in which physical force is used and intended to cause some degree of pain or discomfort, however light. Most involves hitting (“smacking”, “slapping”, “spanking”) children, with the hand or with an implement - a whip, stick, belt, shoe, wooden spoon, etc. But it can also involve, for example, kicking, shaking or throwing children, scratching, pinching, biting, pulling hair or boxing ears, forcing children to stay in uncomfortable positions, burning, scalding or forced ingestion (for example, washing children's mouths out with soap or forcing them to swallow hot spices)”.

In addition, there are other non-physical forms of punishment that are also cruel and degrading and thus incompatible with the convention. These include, for example, punishment which belittles, humiliates, denigrates, scapegoats, threatens, scares or ridicules the child.

The UN Convention on the Rights of the Child, Resolution 44/25 of 20 November 1989 consists of the right to protecting of the child against any kind of abuse, which is categorized as an “Immediate Right”. Article 19 of the convention maintains that the state shall protect children from

“all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child”.

In the Committee on Economic, Social and Cultural Rights General Comment No. 13: The Right to Education (Art. 13), 1999 stated that:

“corporal punishment is inconsistent with the fundamental guiding principle of International Human Rights law enshrined in the Preambles to the Universal Declaration of Human Rights and both covenants: the dignity of the individual”.

National Charter for Children, 2003 of India specifically states:

“All children have a right to be protected against neglect, maltreatment, injury, trafficking, sexual and physical abuse of all kinds, corporal punishment, torture, exploitation, violence and degrading treatment”.

In the objectives of the National Plan of Action 2005, Government of India, it also mentioned the prohibition and elimination of corporal punishment in schools as a priority for children and the report on child protection in the National Plan for 2007-2012. The National Policy on Education (1986, modified 1992), had also been mentioned that the “corporal punishment will be firmly excluded from the educational system.”

The National Commission for Protection of Child Rights (NCPCR), which was setup in March 2007, under the Commissions for Protection of Child Rights Act, 2005, also wrote to all the Chief Secretaries of the States with detailed guidelines recommending practical steps for the elimination of corporal punishment. In the same year, Human Resource Development in December also wrote to all Chief Secretaries recommending that corporal punishment be prohibited in all schools in the jurisdiction of the state government as it:

“Severely affects the human dignity of the child, thereby reducing his/her self esteem and self confidence”.

Similarly, the Right of Children to Free and Compulsory Education Bill, 2008 (Bill No. LXV of 2008), which would achieve prohibition, has been placed in Rajya Sabha, Government of India and awaits enactment. It highlighted in the clause -17 (1), and (2) as:

- (1) No child shall be subjected to physical punishment or mental harassment.
- (2) Whoever contravenes the provision of sub-section (i) shall be liable to disciplinary action under the service rules applicable to such person.

Symptoms of Corporal Punishment

The affect of corporal punishment could be seen in various forms in the child:

- Due to fear the child as often silent and submit to violence without questioning. The child show signs of deep hurt in his behavior which often cannot be noticed, perpetuating further violence.
- Violent and aggressive behaviour towards his brothers and sisters.
- Emotional imbalances.

Corporal Punishment in Manipur:

The various provisions against corporal punishment seem to be effective among the schools in Manipur. However, there has also been a reported incident of the continued application of punishment by teachers. This indicates non-compliance with the rules maintained in this regard by the teachers in schools of Manipur. Could this practice be a sign of frustration, low morale and disgruntlement or caused by the negative attitude of students towards the teachers? Therefore, this study has found out the reactions of teachers towards total prohibition of any form of punishment in the school.

Teachers of different classifications of schools such as, government schools, private schools and Mission schools consist of the study population.

Opinions, in order to study the reactions of teachers towards the total prohibition of punishment has been collected through questionnaire by distributing randomly among the high schools, teachers. The different views and opinions are being presented by means of bar graphs after taking the percentage of different views and opinions.

Since the beginning of this century, a global tendency to abolish corporal punishment has been introduced to challenge the dependence on corporal punishment as a tool for reforming children's misbehavior (Global Report, 2008). This tendency was highlighted and supported by the contemporary call for protecting human rights including the right to security and human treatment (Article 3 and 5 of the Universal Declaration of Human Rights) and child's right for the physical protection, Article 9 and 19 of Convention on Rights of the Child, 1990.

The abolition of any form of punishment remains a contentious issue within the state of Manipur. Teachers argued that without any form of punishment, discipline could not be maintain (Children would neither show respect nor develop the discipline to work hard unless they were beaten/threaten). Their power as educator had been taken away; punishment was a quick and easy way to administer to discipline students while other methods require time, patience and skills, which educator often lacked.

Research has indicated that traditionally school discipline has been more concern with punishment than reward. It was the only way to deal with difficult and disruptive learners. Disruptive behavior creates condition of fear and intimidation that are not conducive to the establishment of a positive learning environment. Discipline problems refer to manifestation of behavior that interfere with the tracking process and seriously disrupt the normal running of the school. The essence of discipline in schools is therefore defined as creating and maintaining a learning atmosphere in which teachers can teach and learners can learn in an environmental that encourages respect for teachers, classmates and administrators.

The finding of the present study shows that different forms of punishment are still prevalent in the schools of Manipur. This is mainly due to social acceptance to punishment as means/tools to reform or discipline students. Family acceptance of their child being corporally punished in school, beating them at home or refraining from reporting is part of the reason which it is widely practiced by teachers. It will be difficult to eliminate the use of punishment from schools while parents still use it at home because, parents approval of punishment would destroy the schools new technique for discipline because the school is part of the general culture of the society. If we want to abolish/prohibit punishment in schools, there is a need to change the social attitude towards it through intensive efforts to raise awareness of child rights protection, current policy implications, the negative consequences in the long run for using punishment as a tool for discipline.

Previously, the ministry of education represents the policy makers in terms of education, legislation and policy formulation; however, empirical experience shows a critical need for other entities and organizations concern with child rights to intervene with new programme for child protection that works in accordance with the ministry's policy. There is an urgent need to develop an approach

to abolish the use of punishment in the schools in Manipur. In order to do so, the strategies that have been successfully implemented in other countries should be taken into account and assessed with relation to the Manipur society.

Family acceptance of their children being punished with reason, beating them at home or refraining from reporting is part of the reason why it is still practiced by teachers. It will be difficult to eliminate the practice of punishment from schools while parents still used it at home. If corporal punishment has to be abolished from school, we need to change the social attitude towards it through intensive efforts and disseminate awareness of child rights protection current policy implications and the negative consequences would be if punishment is continued to use as a means to discipline children.

The opinions of the various high schools teacher towards total prohibition of any form of punishment in the schools are presented through histograms representing the responses given by school teachers regarding the abolition of corporal punishment in the schools.

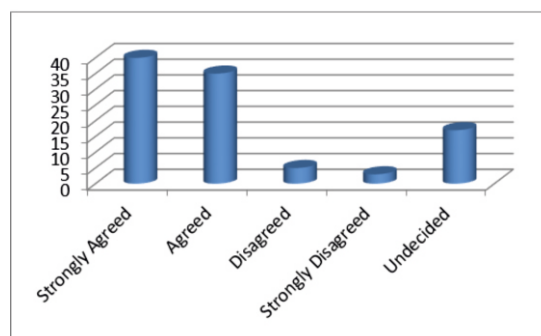


Fig. 1: High school teacher responses to the question of punishment corrected students misbehavior in the classroom.

The responses presented through the bar graph shows that 40% of teachers strongly agreed that punishment is helpful in correcting studies misbehavior and indiscipline nature in the class room. Of the responses 35% agree that frequent use of punishment reforms students' misbehavior and corrected their misbehaviours.

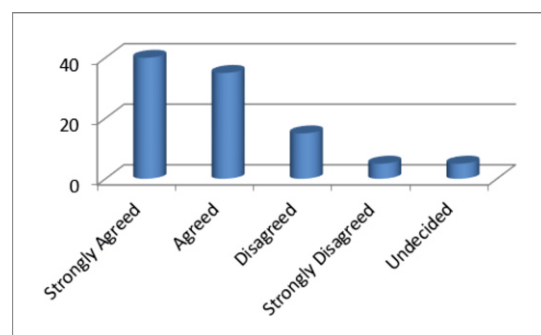


Fig. 2: High school teachers responses on agreed inquiry of punishment help students perform better in class.

40% of High school teachers from various schools of the state had strongly agreed to the above question that application of punishments in the school helps students to work hard and perform better in the classroom as well as in exams, while 35% agreed with the inquiry.

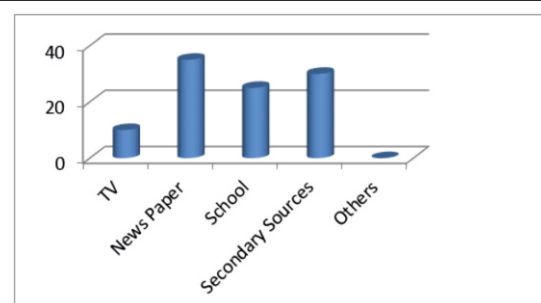


Fig. 3: High school teachers responses on the source of awareness about the total prohibition of corporal punishment in the schools.

In regard to the source of information to the teachers that corporal punishment is

legally forbidden in the schools, the responses in this regard shows that 35% got the information through newspaper, 25% from the school, 30% from the secondary sources, 10% from T.V. and from other services.

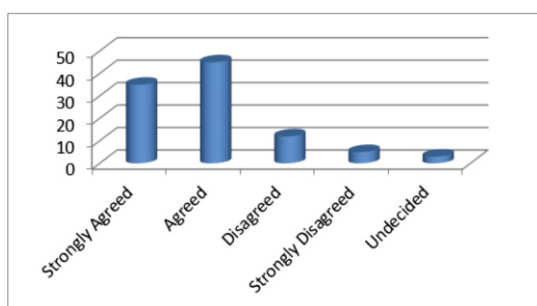


Fig. 4: High school teachers responses to the enquiry of whether they agree to use corporal punishment in schools.

The above bar graph shows that the majority of the teachers agreed to the use of punishment in the school, while 5% of them strongly disagreed in using punishment in school.

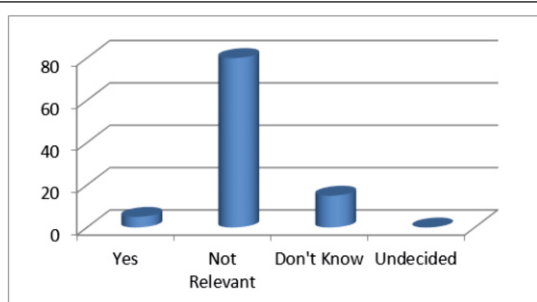


Fig. 5: Teachers answers to the question of total prohibition of punishment in the school are relevant from the local social context.

In spite of the RTE Act which prohibits any form of punishment in the schools, 80% of the high school teachers give their opinion that abolition of punishment in the high schools of Manipur is not relevant to the social context of Manipur, because the society accept it as a means to discipline and train the children.

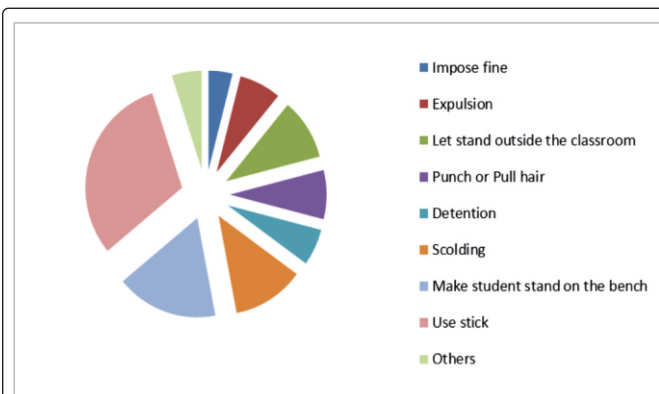


Fig. 6: Teachers answer to the question of what sort of punishment they use.

From teachers' point of view 31% used stick to discipline students in the class. 12% of teacher scold and insult whenever a student misbehaves. Teacher also sends the students outside 10% from the classroom. Expulsion from the school was the last resort 7%. To pinch or pull hair 8%, detention 6% and 4% teachers impose fine as a form of punishment.

The analysis of the collected data shows that 80% of the high school teachers used punishment and think that punishment is one of the important ways to discipline and correct students and could make students perform better in their studies. 75% of the teachers opined that prohibition of punishment in the school is not relevant with the social context of Manipur. The study also shows that different form of punishment is used by teachers in the schools of Manipur. This is due to the social acceptance to punishment as means or tools to reform their children by guardians. In order to develop an approach to competing use of punishment in the schools of Manipur strategies that have been successfully implemented by other countries should be taken into account and assessed with relation to the people of

Manipur.

Family acceptance of their children being punished in school, beating them at home or reforming from reporting is part of the reason why it is widely practice by teacher. Using punishment as a means of disciplining students will continue as long as it is used by parents or guardians at home. Therefore, to abolish or prohibit punishment in the schools the social attitude towards it needs to be corrected, by giving awareness of child's rights protection, current policy implications, and the negative consequences in the long run for using punishment as a tool in disciplining the students. Majority of the teachers give their opinion that abolition of any form of punishment is not application in the states like Manipur where punishment has been used traditionally in various field in order to discipline one's indiscipline behaviour or practices.

With the ban on any form of punishment from the schools since 2009 in the state of Manipur there has been different views and opinions from the school teaching community. Majority of the teachers think that children would neither respect nor develop any discipline to work hard unless they were punished. Their power as educators had been taken away. To teachers punishment was a quick and easy way to administer; while others methods require time punishment would restore a culture of learning in schools. It is the only way to deal with difficult or disrupted learners. Teacher had not experienced any harmful effect when punishment was administered to the learners, so the teachers reacted over the removal of any form of punishment being practiced in the schools. Therefore, the findings of this study demonstrate that using of any form of punishment in the schools as required by the situation/context is accepted by majority of the school teachers in Manipur.

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